ATTACHMENT B
MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) lists the impacts and mitigation measures identified in the North Main Street Projects EIR. The MMRP lists the mitigation measures recommended in the EIR for the proposed projects and identifies monitoring responsibility and a schedule for implementation. Monitoring and reporting details are only provided for mitigation measures necessary to avoid or reduce significant impacts of the project.

Table 1 presents the mitigation measures identified for the proposed project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, CULT-3 is the third mitigation measure identified in the Cultural and Paleontological Resources analysis.

The first and second columns of Table 1 provide the significant impacts and corresponding mitigation measure(s) as identified in Chapter IV of the Draft EIR for the proposed project. The third column, "Monitoring Responsibility," identifies the party(ies) responsible for carrying out the required action(s). The fourth column, "Schedule for Implementing Mitigation Measure," identifies the parties(ies) ultimately responsible for ensuring that the mitigation measure is implemented and outlines the steps for monitoring the action identified in the mitigation measure and the approximate timeframe for the oversight agency to ensure implementation of the mitigation measure.

Table 1: Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
C. Transportation, Circulation and Parking			
TRANS-1: Implementation of the proposed NMSD Project would result in a significant traffic impact at the intersection of Abel Street/Marylinn Drive in the PM peak hour.	TRANS-1: A separate northbound right-turn lane shall be installed and an overlap phase shall be implemented for a westbound right-turn lane prior to occupancy of the new library. The lane additions will require some right-of-way acquisition from a parking lot located on the southeast corner of the intersection. In addition, provision of westbound overlap phase would preclude southbound U-turns at this intersection. This mitigation would provide LOS D or better. This mitigation measure would reduce the impact at this intersection to a less-than-significant level.	Project Traffic Engineer: Revise project plans to include a separate northbound right turn lane at the Abel Street/Marylinn Drive.	Prior to approval of final design of the project.
TRANS-2: Implementation of the proposed NMSD Project would result in a significant traffic impact at the intersection of Main Street/Calaveras Boulevard (SR 237) Off-Ramp in the PM peak hour.	TRANS-2: Either of the following mitigation measures shall be implemented to mitigate this impact to a less-than-significant level. (a) Installation of a traffic signal shall be investigated by City of Milpitas at the intersection and a separate southbound left-turn lane shall be installed on Main Street. If the City determines that a traffic signal is warranted, the developers shall pay a "fair share" cost towards the construction of the signal. The "fair share" cost will be determined by the City based on the magnitude of the project impacts (b) An *alternative mitigation* that could alleviate this impact is elimination of the proposed Eastern Parking Garage driveway on Main Street. The intersection would operate under LOS C without the driveway. With this mitigation, the intersection of Main Street/Weller Lane would still operate under acceptable LOS. This mitigation would exacerbate the need for a traffic signal at the South Main Street/Carlos Street/ Calaveras Boulevard On-Ramp intersection (see Impact TRANS-3). Implementation of either mitigation measure (a) or (b) would mitigate this impact to a less-than-significant level.	Project Traffic Engineer: Consult with City to identify preferred mitigation alternative, and revise site plan as appropriate.	Prior to approval of final design of the project.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
TRANS-3: Implementation of the proposed NMSD Project would result in a significant traffic impact at the intersection of South Main Street/Carlo Street/Calaveras Boulevard (SR 237) On-Ramp in the PM peak hour.	TRANS-3: The City shall perform a complete signal warrant analysis at this location. If the City determines that a traffic signal is warranted, the developers shall pay a "fair share" cost towards the construction of the signal. The "fair share" cost is to be determined by the City based on the magnitude of the project impacts. Implementation of a traffic signal would mitigate this impact to a less-than-significant level.	City Traffic Engineer: Perform a complete signal warrant analysis at this location and determine if traffic signal is warranted and if developers must pay "fair share" cost towards construction of the signal.	Prior to approval of final design of the project.
TRANS-4: The addition of traffic from the NMSD Project under Cumulative Conditions would significantly exacerbate AM peak hour operations on five roadway segments that are projected to operate at unacceptable levels without the project. During the PM peak hour, the NMSD Project is expected to significantly exacerbate operation on eight of the 35 study roadway segments. These changes are considered a significant impact.	TRANS-4: The City of Milpitas has planned to upgrade traffic signal interconnect and coordination along Calaveras Boulevard. Although this improvement would not reduce the project impacts to a less-than-significant level, it would reduce some congestion and improve traffic flow along Calaveras Boulevard.	*This impact was identified as significant and unavoidable. When feasible, the City should upgrade the traffic signal interconnect and coordination to help minimize this impact.*	
D. Air Quality			
AIR-1: Activities associated with demolition, site preparation and construction would generate short-term emissions of criteria pollutants, including suspended and inhaleable particulate matter and equipment exhaust emissions.	AIR-1: Implementation of the following mitigation measures would reduce this impact to a less-than-significant level. • The basic and enhanced control measures listed in Table IV.D-8 shall be implemented during construction of the proposed project. • Any temporary haul roads to the soil stockpile area shall be routed away from existing neighboring land uses. Any temporary haul roads shall be surfaced with gravel and/or regularly watered to control dust or treated with an appropriate dust suppressant. • Water sprays shall be utilized to control dust when material is being added or removed from the stockpile. When the stockpile is undisturbed for more than one week, the storage pile shall be treated with a dust suppressant or crusting agent to eliminate wind-blown dust generation.	Construction Manager: Ensure each of the control measures and other measure are appropriately implemented throughout the construction period.	During demolition, grading and construction.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
AIR-1 *continued*	• All neighboring properties located within 500 feet of property lines shall be provided with the name and phone number of a designated construction dust control coordinator who will respond to complaints within 24 hours by suspending dust-producing activities or providing additional personnel or equipment for dust control as deemed necessary. The phone number of the BAAQMD pollution complaints contact shall also be provided. The dust control coordinator shall be on-call during construction hours. The coordinator shall keep a log of complaints received and remedial actions taken in response. This log shall be made available to City staff upon its request. The above mitigation measures include all feasible measures for construction emissions identified by the BAAQMD. According to the District's threshold of significance for construction impacts, implementation of the measures would reduce construction impacts of the proposed project to a less-than-significant level.		
AIR-2: Project-related regional emissions would exceed the BAAQMD thresholds of significance for ozone precursors.	AIR-2: The *BAAQMD CEQA Guidelines* document identifies potential mitigation measures for various types of projects. The following are considered to be feasible and effective in further reducing vehicle trip generation and resulting emissions from the project: • Provide neighborhood-serving shops and services within or adjacent to residential development. • Provide transit facilities (e.g., bus bulbs/turnouts, benches, shelters). • Provide shuttle service to regional transit system or multimodal center. • Provide shuttle service to major destinations such as employment centers, shopping centers and schools. • Provide bicycle lanes and/or paths, connected to community-wide network.	*This impact was identified as significant and unavoidable. When feasible, the City should implement the identified mitigation measures to help minimize this impact.*	

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
AIR-2 *continued*	• Provide sidewalks and/or paths, connected to adjacent land uses, transit stops, and/or community-wide network. • Provide satellite telecommunication centers in large residential developments. • Provide secure and conveniently located bicycle and storage for residents. • Wire each senior housing unit to allow use of emerging electronic communication technology. • Implement feasible TDM measures including a ride-matching program, coordination with regional ridesharing organizations and provision of transit information. Implementation of the above mitigation measures could potentially reduce the regional vehicle emissions by up to 10 percent, but some of the measures may not be appropriate and/or feasible. Additionally, it is anticipated that the NO_X emissions would continue to exceed the BAAQMD's threshold. Therefore, the project's regional air quality impacts would remain significant.		
E. Noise			
NOISE-1: Noise levels from construction activities may range up to 96 dBA L_{max} at the nearest land uses to the construction site for limited time periods during the duration of construction for certain activities such as pile driving or the use of other heavy equipment.	NOISE-1: The following measures shall be implemented during construction of each of the proposed projects: (a) Standard construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. No construction activities that exceed City standards shall be allowed on federal holidays. (b) To reduce daytime noise impacts due to construction, to the maximum feasible extent, the City shall require the applicant to develop a site-specific noise reduction program, subject to city review and approval, which includes the following measures:	Construction Manager: Ensure that each of these measures are implemented.	During demolition, grading and construction.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
NOISE-1 *continued*	• Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems; • An on-site complaint and enforcement manager shall be posted to respond to and track complaints; • A pre-construction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices are completed and in place prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.); • Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible); • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible; and • Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.		

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
NOISE-1 *continued*	Construction period impacts would still occur with implementation of the measures detailed above. However, because they would be short-term in duration, and the construction activities will restricted to the hours listed in the Noise Ordinance, the City considers this a less-than-significant impact.		
NOISE-2. Train related noise from the Union Pacific Transportation Railroad rail line could impact the proposed library, health center, and senior housing located nearby.	NOISE-2. To meet the City's noise standards the following mitigation measures shall be incorporated: • Building façade upgrades would be required for the library to meet the 45 dBA L_{dn} interior noise standard. The exterior wall of the proposed library shall be constructed to meet a Sound Transmission Class (STC) of 39 dBA. Once constructed, this wall assembly would provide a minimum of 36 dBA of noise attenuation. These façade upgrades or others would reduce the interior noise level to 45 dBA L_{dn} or less (81 dBA – 36 dBA = 45 dBA). • To achieve the indoor fresh-air ventilation requirements specified in Chapter 35 of the Uniform Building Code, the library, medical clinic, banquet facility, and the multifamily residences would require mechanical ventilation to ensure that windows can remain closed for a prolonged period of time. Implementation of the above mitigation measure would reduce the impact to a less-than-significant level.	Architect and Construction Manager: Ensure that these measures are incorporated into the building design and implemented during construction.	Prior to issuance of a building permit and during construction of each individual project.
NOISE-3: Local traffic would generate long-term noise levels exceeding *Normally Acceptable* and *Conditionally Acceptable* noise levels within the vicinity of the NMSD Project site.	NOISE-3: To meet the City's interior noise standards the following mitigation measures shall be incorporated: • To achieve the indoor fresh-air ventilation requirements specified in Chapter 35 of the Uniform Building Code, the senior housing, the library, the medical clinic, and the retail/banquet facility will require mechanical ventilation to ensure that windows can remain closed for a prolonged period of time. Implementation of the above mitigation measure would ensure that acceptable noise levels are achieved and reduce the impact to a less-than-significant level.	Construction Manager: Ensure indoor ventilation is installed.	Prior to building occupancy.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
NOISE-4: Train related vibration from the Union Pacific Transportation Railroad rail line could impact the proposed library.	NOISE-4: To reduce the vibration impact on the proposed project site, the following mitigation measure shall be incorporated: • Prior to obtaining a building permit, the project applicant shall conduct a detailed analysis of the vibration generated by the existing railroad tracks at the proposed library site. Mitigation measures such as vibration isolation shall be incorporated into the project design if necessary. Implementation of the above mitigation measure would ensure that acceptable vibration levels are achieved and reduce the impact to a less-than-significant level.	Project Applicant and Architect: Complete vibration analysis and incorporate appropriate vibration isolation components into final site plan.	Prior to issuance of a building permit for each individual project.
F. Hydrology and Water Quality			
HYD-1: Construction activities and post-construction site uses associated with the development of each element of the NMSD Project could result in degradation of surface water quality by reducing the quality of stormwater runoff.	HYD-1: Implementation of both of the following mitigation measures would reduce the level of significance of this impact to a less-than-significant level: (a) Each project proponent shall prepare a SWPPP designed to reduce potential degradation impacts to surface water quality through the construction period of the project. It is not required that the SWPPP be submitted to the RWQCB, but the SWPPP must be maintained on-site and made available to RWQCB staff upon request. The SWPPP shall include specific and detailed BMPs designed to mitigate construction-related pollutants. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain.	Project Civil Engineer: Ensure that BMPs have been incorporated into project design. Construction Manager: Ensure that SWPPP has been completed and is available on-site.	Prior to issuance of a demolition, grading or building permit for each individual project.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
HYD-1 *continued*	An important component of the stormwater quality protection effort is the knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP. BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control, that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. If hydroseeding is selected as the primary soil stabilization method, then these areas shall be seeded by September 1 and irrigated as necessary to ensure that adequate root development has occurred prior to October 1. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions.		

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
HYD-1 *continued*	(b) Post-construction, the City shall ensure that design of each project element includes features and operational Best Management Practices to reduce potential impacts to surface water quality associated with operation of the project to the best extent practicable. These features shall be included in the drainage plan and final development drawings for each project element. Specifically, the final design may include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development. In general, passive, low-maintenance BMPs (e.g., grassy swales, porous pavements) are preferred over active filtering or treatment systems. If the design includes higher maintenance BMPs (e.g., sedimentation basins, hydrocarbon interceptors), then a maintenance plan shall be developed and implemented to inspect and maintain these features. The NMSD Projects shall comply with the C3 provisions of the City of Milpitas NPDES Permit. These projects may be eligible for a partial waiver under the City's Stormwater C.3 waiver program. The City of Milpitas shall ensure that the SWPPP and drainage plan are prepared and adequate prior to approval of the grading plan.		

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
HYD-2: Implementation of the NMSD Project could exacerbate existing drainage and localized flooding problems.	HYD-2: The City shall retain a qualified engineer to prepare a drainage plan for the proposed project improvements in accordance with the City's general Conditions of Approval requirements. As a condition of approval of the final grading and drainage plans for each element of the NMSD Project, it must be demonstrated that implementation of the proposed drainage plans would not exceed the capacity of project area drainage facilities and the project will conform to FEMA requirements for development in floodplains. A storm drain maintenance plan that includes annual inspections of any bioswales, sedimentation basins, drainage ditches, and drainage inlets, and prompt removals of sediments and debris, as necessary, shall be submitted with the drainage plan. The grading and drainage plans shall be reviewed for compliance with these requirements by the City of Milpitas. Any improvements to the storm drainage system deemed necessary by the City will be incorporated into the conditions of approval for each individual project.	Project Civil Engineer and Construction Manager: Ensure that drainage plan has been prepared and implemented.	Prior to final issuance of a grading permit for each individual project.
G. Hazards			
HAZ-1: Implementation of the NMSD Project could expose construction workers and/or the public to hazardous materials from contaminants in soil during and following construction activities.	HAZ-1: Prior to the issuance of any grading, demolition, or building permits for the project site, a Risk Management Plan (RMP) shall be prepared for the project site. At a minimum, the RMP shall establish soil and groundwater mitigation and control specifications for grading and construction activities at the site, including health and safety provisions for monitoring exposure to construction workers, procedures to be undertaken in the event that previously unreported contamination is discovered, and emergency procedures and responsible personnel. The RMP shall also include procedures for managing soils and groundwater removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of in accordance with applicable regulations and	Project Civil Engineer and Construction Manager: Development of a RMP.	Prior to issuance of a grading, demolition or building permit.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
HAZ-1 *continued*	permits. The RMP shall describe groundwater monitoring wells that will be affected by the construction activities, provide procedures for the proper abandonment of those wells, and provide locations for replacement monitoring wells, if warranted. The RMP shall also include an Operations and Maintenance Plan component, to ensure that health and safety measures required for future construction and maintenance at the project site shall be enforced in perpetuity. Any change in use would prompt a new CEQA process which will reveal all such contamination and ensure that human exposure to residual contamination is prevented. The RMP shall be submitted to the Milpitas Fire Department for review and approval.		
HAZ-2: Implementation of the NMSD Project could hinder ongoing investigation and remediation of petroleum hydrocarbon and solvent contamination at a project site parcel.	HAZ-2: If development of the project occurs prior to regulatory case closure of the 130 Winsor Avenue site, SCCDEH/SCVWD approval shall be a condition of requirement for any demolition, grading, or construction permits on that property. Any requirements of SCCDEH, such as abandonment and/or replacement of groundwater monitoring wells, shall be incorporated as conditions of approval for the permit.	Project Civil Engineer: Compliance with SCCDEH/SCVWD findings.	Prior to issuance of demolition or construction permits.
HAZ-3: Improper use or transport of hazardous materials during construction activities could result in releases affecting construction workers and the general public.	HAZ-3: The RMP for the project site shall include procedures for emergency incident response and the management and disposal of contaminated soils and groundwater (see Mitigation Measure HAZ-1, above). Use, storage, disposal, and transport of hazardous materials during construction activities shall be performed in accordance with existing local, State, and federal hazardous materials regulations. No additional mitigation is required.	Project Civil Engineer and Construction Manager: Development of a RMP.	Prior to issuance of a grading, demolition or building permit.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
HAZ-4: Development of the proposed project could expose construction workers and future residents to potentially hazardous concentrations of agricultural chemical residues in shallow soils.	HAZ-4: Prior to the issuance of grading or construction permits for the project site parcels west of North Main Street (APNs 22-08-041, 22-08-042, and 22-08-003), a qualified environmental professional shall conduct an environmental investigation at the project site in accordance with California Department of Toxic Substances Control (DTSC) Interim Guidance for sampling former agricultural fields (Interim Guidance). Based on the size of the site, the Interim Guidance specifies that a minimum of eight composite samples should be collected from shallow soils and analyzed for potential organic and inorganic agricultural chemical residues. As specified in the Interim Guidance, any detected organic compounds or metals above naturally-occurring concentrations must be evaluated in a risk assessment, and additional remedial action such as soils removal may be required, depending on the results of the environmental investigation and risk assessment. Findings shall also be incorporated into the RMP for the project site (Mitigation Measure HAZ-1, above).	Project Applicant: Have qualified environmental professional evaluated project site in accordance with DTSC Guidance.	Prior to issuance of grading or construction permits.
HAZ-5: Demolition or renovation of structures containing lead-based paint, asbestos-containing building materials, and/or mold contamination could release airborne toxics, which may affect construction workers and the public.	HAZ-5: Implementation of this two-part measure would reduce this impact to a less-than-significant level: (a) As a condition of approval for any demolition or renovation permit for a structure known or suspected to have been constructed prior to 1985, an asbestos and lead-based paint survey shall be performed. If asbestos-containing materials were determined to be present, the materials shall be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. If lead-based paint were identified, then federal and State construction worker health and safety regulations shall be followed during renovation or demolition activities. If loose or peeling lead-based paint were identified, they shall be removed by a qualified lead abatement contractor and disposed of in accordance with existing hazardous waste regulations.	Project Applicant: Lead based paint survey for structures built before 1985 and removal of asbestos containing materials by certified asbestos abatement contractor; preparation of a mold remediation report by a qualified environmental professional.	Prior to issuance of demolition permit and during demolition.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
HAZ-5 *continued*	(b) As a condition of any demolition or renovation permit for the former Senior Center Property (160 North Main Street), a qualified environmental professional shall be retained to investigate, evaluate, and remediate the mold contamination at the site, in accordance with guidelines in US EPA's "Mold Remediation in Schools and Commercial Buildings" (EPA Document 402-K-01-001). A final mold remediation report shall be produced to document the remediation and describe any maintenance measures required to prevent recurrence of the mold contamination. These maintenance measures shall be incorporated into conditions of approval for the construction or renovation permit.		
H. Cultural and Paleontological Resources			
CULT-1: Implementation of the Senior Housing element of the NMSD Project would result in the relocation on-site of the DeVries Home and the demolition of the Home's contributing outbuildings and plantings.	CULT-1: Prior to any relocation on site of the DeVries Home, each of the following measures shall be completed: • Produce a full set of HABS-style large format documentary photographs. A minimum of 20 views on 4- x 5-inch or larger format film shall be taken. The photographs shall be processed archivally, and copies of the photographs shall be deposited with the City of Milpitas, the Bancroft Library at the University of California, Berkeley; and the NWIC. The City will provide copies to the local library and the Milpitas Historical Society. • Prepare a history of the DeVries Home that incorporates oral history, documentary research, and architectural information. The City will submit the documentation to the NWIC and provide copies to the local library and the Milpitas Historical Society.	Project Applicant: Documentation of DeVries Home.	Prior to any construction activities.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
CULT-1 *continued*	The architectural and historical documentation shall treat the DeVries Home, the conifer trees, and the outbuildings (garage and tankhouse) as a historical complex rather than an aggregation of individual resources. The documentation shall take into account the interrelatedness of the contributing features and the home. Even with mitigation, the impacts associated with relocation of the DeVries Home would remain significant and unavoidable.		
CULT-2: Construction of the library addition and the east parking garage adjacent to the Milpitas Grammar School could have an adverse impact on the school's historical integrity.	CULT-2: The design and construction of the library addition and the east parking garage shall follow the following basic design guidelines. • The average height of the parking garage and library addition shall not exceed the roofline height of the grammar school. • Any new structures shall not surround the grammar school on more than two sides. • Any new structures shall have a mass and scale that is compatible with the grammar school. • The design for the garage shall respect the school building's traditional design. • Paint colors selected for the garage shall coordinate with those used for the school. If the final design meets the criteria listed above, this impact would be reduced to a less-than-significant level. If the criteria cannot be achieved, the impact would be significant and unavoidable.	*The City has determined that this mitigation measure is not feasible and, as a result, will not be implemented. This impact has been identified as significant and unavoidable.*	

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
CULT-3: Rehabilitation and reuse of the Milpitas Grammar School as part of implementation of the Library element of the NMSD Project could result in adverse impacts to the building's historic fabric.	CULT-3a: The Milpitas Grammar School will be rehabilitated in accordance with the Secretary's Standards. If conformity with the Secretary's Standards is not possible, then the following mitigation measure shall be implemented. CULT-3b: Prior to the rehabilitation of the Milpitas Grammar School, the building shall be documented to create a public record of the historical qualities that justify the school's National Register eligibility, and that will be available to researchers and the general public. Each of the following measures shall be completed:	Project Architect: Design rehabilitation in accordance with the Secretary Standards. Project Applicant: Documentation of Milpitas Grammar School.	Prior to any construction activities.
CULT-3 *continued*	• Produce a full set of HABS-style large format documentary photographs. A minimum of 20 views on 4- x 5-inch or larger format film shall be taken. The photographs shall be processed archivally, and copies of the photographs shall be deposited with the City of Milpitas, the Bancroft Library at the University of California, Berkeley; and the NWIC. The City will provide copies to the local library and the Milpitas Historical Society. • Prepare a history of the Milpitas Grammar School that incorporates oral history, documentary research, and architectural information. The City will submit the documentation to the NWIC and provide copies to the local library and the Milpitas Historical Society.		
CULT-4: Implementation of the Library and Eastern Parking Garage element of the NMSD Project would result in the demolition of the Winsor Blacksmith Shop.	CULT-4a: After property acquisition the City shall offer the Winsor Blacksmith Shop for purchase to be removed from the property at the buyer's expense and transferred to a new lot within Milpitas. Title to the building shall be transferred subject to a covenant that requires preservation of the building's historic features.	City: Offer the Winsor Blacksmith Shop for sale; documentation of the Winsor Blacksmith Shop.	Prior to any construction activities.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
	CULT-4b: Should the City receive no bids for the Winsor Blacksmith Shop, or if building relocation is not feasible, the following documentation tasks shall occur: • Produce a full set of Historic American Building Survey (HABS)-style large format documentary photographs of the Winsor Blacksmith Shop, including its contributing features. A minimum of 20 views on 4- x 5-inch or larger format film shall be taken. The photographs shall be processed archivally, and copies of the photographs shall be deposited with the City of Milpitas, the Bancroft Library at the University of California, Berkeley; and the Northwest Information Center, Rohnert Park (NWIC). The City will provide copies to the local library and the Milpitas Historical Society.		
CULT-4 *continued*	• Prepare a history of the Winsor Blacksmith Shop that incorporates oral history, documentary research, and architectural information. The City will submit the documentation to the NWIC and provide copies to the local library and the Milpitas Historical Society. . • Prepare a brochure describing the historical and architectural qualities of the Winsor Blacksmith Shop to be made available at local libraries and museums. • Salvage architectural elements and boards with brands from the Winsor Blacksmith Shop to incorporate into a display. The impact associated with demolition of the Winsor Blacksmith Shop would remain significant and unavoidable.		

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
CULT-5: Implementation of each element of the NMSD Project construction could result in impacts to archaeological deposits that may qualify as historical or archaeological resources under CEQA.	CULT-5a: Prior to project construction, a qualified professional archaeologist shall prepare a monitoring plan to guide project ground disturbing construction to avoid impacts to potentially significant archaeological deposits. Preparing the monitoring plan may require subsurface examination to determine the presence, nature, extent, and potential significance of archaeological deposits that may be encountered by project activities. The monitoring plan should address the possibility that project construction may encounter prehistoric *and* historical archaeological deposits in the project area. At a minimum, the monitoring plan should include methods to: (1) refine the understanding of project area archaeological sensitivity; (2) determine the likelihood that such subsurface deposits have retained integrity; (3) identify the types of artifacts and features	*This impact has been identified as significant and unavoidable. The City should offer the Winsor Blacksmith Shop for sale to help minimize this impact.*	
CULT-5 *continued*	that may be encountered during project construction; and (4) provide guidelines for in-field assessment of archaeological deposits identified during monitoring. The plan should determine the appropriate level of archaeological construction monitoring necessary to avoid significant impacts to cultural resources, and provide guidance for the implementation of such monitoring.		
	CULT-5b: Archaeological construction monitoring shall be conducted as appropriate to fully implement the monitoring plan. Following the completion of archaeological monitoring, a report shall be prepared to document the methods, findings, and recommendations of the monitoring archaeologist. The report shall be submitted to the City, the project applicant, and the NWIC.		

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
	CULT-5c: If deposits of prehistoric or historical materials are encountered during project activities after the completion of Mitigation Measure CULT-8b, all work within 50 feet should be halted until an archaeologist can evaluate the findings and make recommendations. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, or quartzite tool making debris; midden (i.e., culturally darkened soil often containing heat affected rock, ash and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, concrete, or adobe footings, walls and other structural remains; debris-filled wells or privies; and deposits of wood, metal, glass, ceramics, and other refuse.		
CULT-5 *continued*	Project personnel shall not collect or move any archaeological or paleontological material. Fill soils that may be used for construction shall not contain archaeological or paleontological materials. Following the archaeologist's evaluation, a report should be prepared to document the methods, findings, and recommendations of the archaeologist conducting the work. The report shall be submitted to the City, the project applicant, and the NWIC.		

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
CULT-6: Construction may disturb human remains, including those interred outside of formal cemeteries.	CULT-6: In the event that human remains are encountered, the developer shall: (1) halt work in the immediate area of the remains; (2) contact the Santa Clara County coroner and the City of Milpitas; and (3) contact an archaeologist to evaluate the situation and make recommendations. If the remains are of Native American origin, the coroner will contact the Native American Heritage Commission, which will in turn contact the appropriate Most Likely Descendent (MLD). The MLD will have the opportunity to make a recommendation for the respectful treatment of the Native American remains and related burial goods. The archaeologist shall recover all scientifically valuable information as appropriate, in accordance with the recommendations of the MLD. Following the archaeologist's evaluation, a report should be prepared to document the methods, findings, and recommendations of the archaeologist conducting the work. The report shall be submitted to the City, the project applicant, and the NWIC.	Construction Manager	During demolition, grading, and construction.
CULT-7: Subsurface construction activities associated with each element of the NMSD Project may adversely impact paleontological resources.	CULT-7a: If project subsurface construction is limited to a depth of *20 feet or less* below the ground surface, the following mitigation measure shall be implemented. If paleontological resources are encountered during project construction, all work within 50 feet of the discovery should be redirected until a qualified paleontologist is contacted to evaluate the finds and make recommendations. If the finds are found to be significant, they shall be avoided by project activities and recovered in accordance with the recommendations of the paleontologist. Upon completion of the recovery, the paleontologist shall address the need for paleontological monitoring of subsequent construction activities. After the recovery of the finds, a report documenting monitoring, methods, and findings shall be prepared by the paleontologist and submitted to the City, the project applicant, and a suitable fossil repository.	Construction Manager	During demolition, grading and construction.

Table 1 *continued*

Environmental Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure
	CULT-7b: If substantial project subsurface excavation occurs at depths *greater than 20 feet* below the ground surface, then the following mitigation measure shall be implemented. A paleontological assessment by a qualified paleontologist should be conducted to determine if monitoring for paleontological resources is required. The assessment shall include: (1) the results of any geotechnical investigation done for the project area; (2) specific details of the construction plans for the project area; (3) background research; and (4) limited subsurface investigation within the project area. If the possibility of paleontological resources is confirmed, a monitoring plan should be prepared and implemented in conjunction with this evaluation. Upon completion of the paleontological assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City and the project applicant.		
CULT-7 *continued*	After the recovery of the finds and the completion of project construction, a report documenting monitoring, methods, and findings should be prepared by the paleontologist and submitted, along with a copy of the monitoring report, to the City, the project applicant, and a suitable fossil repository.		
I. Aesthetic Resources			
AES-1: Implementation of the NMSD Project would create a new source of light and glare.	AES-1: Outdoor lighting shall be designed to minimize glare and spillover onto surrounding properties. The proposed project shall incorporate non-mirrored glass or use other glare-reduction techniques to minimize daytime glare.	Architect	Prior to issuance of building permits.